



Express Mail Airbill No. EV813994713US

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Docket No.: 520038001US2  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

In re Patent Application of:  
Schultz et al.

DEC 04 2008

Application No.: 09/740,615

Confirmation No.: 1773 OFFICE OF PETITIONS

Filed: December 18, 2000

Art Unit: 1641

For: PLASMON RESONANT PARTICLES,  
METHODS AND APPARATUS

Examiner: A.Y. Lam

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS  
AND ERROR IN PAYMENT OF FEES (37 C.F.R. § 1.28)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

On December 18, 2000, small entity status was established in good faith and the non-provisional filing, examination and search fees were paid in good faith in the above-identified application. However, it was recently discovered that such status as a small entity was subsequently lost on July 8, 2003. As such, Applicants respectfully submit payment for the sum of the deficiency between the amount of fees paid and the amount due after the loss of entitlement to small entity status.

The fees being paid are itemized beginning on page 2.

12/03/2008 DALLEN 00000006 09740615

01 FC:1461 4475.00 OP

12/03/2008 DALLEN 00000007 09740615

01 FC:1461 1816.00 OP

<b>Fee Description / Date</b>	<b>Actual Fee Due</b>	<b>-</b>	<b>Amount Paid (Small Entity)</b>	<b>=</b>	<b>Deficiency Being Paid</b>
2-month Extension of Time (EOT) 05-17-2004	\$490.00		\$210.00		\$280.00
Request for Continued Examination (RCE) and 2-month EOT 02-14-2005	\$1,300.00		\$620.00		\$680.00
1-month EOT 07-29-2005	\$130.00		\$60.00		\$70.00
Notice of Appeal and 2-month EOT 03-17-2006	\$1,030.00		\$475.00		\$555.00
5-month EOT	\$2,350.00		\$1,080.00		\$1,270.00
3-month EOT 08-23-2007	\$1,110.00		\$510.00		\$600.00
Notice of Appeal and 1-month EOT 03-03-2008	\$670.00		\$315.00		\$355.00
RCE and 2-month EOT 06-27-2008	\$1,300.00		\$635.00		\$665.00
<b>TOTAL FEES</b>	<b>\$8,380.00</b>		<b>\$3,905.00</b>		<b>\$4,475.00</b>

A check for payment of the fee deficiency is enclosed. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0665 under Order No. 520038001US2 from which the undersigned is authorized to draw. This document is being submitted in duplicate.

Assignee of record hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the

Application No.: 09/740,615

Docket No.: 520038001US2

Applicant is hereby withdrawn.

Dated: November 26, 2008

Respectfully submitted,

By 

Chun M. Ng

Registration No.: 36,878

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